

House File 2115 - Introduced

HOUSE FILE 2115

BY WILLS

A BILL FOR

1 An Act prohibiting compensation for employment organization
2 activities under public employee collective bargaining
3 agreements and including applicability provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 20.3, Code 2016, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 4A. *"Employment organization activities"*
4 means activities that are performed by an employment
5 organization or members or representatives of an employment
6 organization that relate to advocating the interests of
7 employees represented by the employment organization regarding
8 wages, hours, benefits, or other terms and conditions of
9 employment, or the enforcement, fulfillment, or advancement of
10 the organizational purposes, obligations, external relations,
11 or internal policies and procedures of the employment
12 organization.

13 Sec. 2. NEW SECTION. 20.9A **Compensation for employment**
14 **organization activities prohibited.**

15 1. A public employer shall not enter into a collective
16 bargaining agreement pursuant to this chapter that requires
17 or authorizes the public employer to compensate any public
18 employee or person for employment organization activities.
19 A provision of any collective bargaining agreement entered
20 into pursuant to this chapter that requires or authorizes a
21 public employer to compensate any public employee or person
22 for employment organization activities is void as contrary to
23 public policy.

24 2. Any taxpayer or citizen of this state may file a
25 complaint with the board pursuant to section 20.10, subsection
26 2, paragraph "i", and section 20.11 alleging a violation of this
27 section.

28 3. This section shall not be construed to prohibit a public
29 employee from using compensated leave time for any personal
30 purpose, if the public employee is not provided compensated
31 leave time to compensate the public employee for performing
32 employment organization activities.

33 Sec. 3. Section 20.10, subsection 2, Code 2016, is amended
34 by adding the following new paragraph:

35 NEW PARAGRAPH. i. Violate section 20.9A.

1 Sec. 4. APPLICABILITY. This Act applies to collective
2 bargaining agreements entered into on or after the effective
3 date of this Act.

EXPLANATION

5 The inclusion of this explanation does not constitute agreement with
6 the explanation's substance by the members of the general assembly.

7 This bill prohibits a public employer from entering into
8 a collective bargaining agreement pursuant to Code chapter
9 20, the "Public Employment Relations Act", that requires
10 or authorizes the public employer to compensate any public
11 employee or person for employment organization activities. The
12 bill provides that a provision of any collective bargaining
13 agreement that requires or authorizes a public employer
14 to compensate any public employee or person for employment
15 organization activities is void as contrary to public policy.

16 The bill defines "employment organization activities" as
17 activities that are performed by an employment organization or
18 members or representatives of an employment organization that
19 relate to advocating the interests of employees represented by
20 the employee organization regarding wages, hours, benefits, or
21 other terms and conditions of employment, or the enforcement,
22 fulfillment, or advancement of the organizational purposes,
23 obligations, external relations, or internal policies and
24 procedures of the employment organization.

25 A violation of the bill is a prohibited practice and subject
26 to enforcement by the public employment relations board. The
27 bill permits any taxpayer to or citizen of Iowa to file a
28 complaint with the board alleging such a violation.

29 The bill shall not be construed to prohibit a public employee
30 from receiving compensated leave time for any personal purpose,
31 if the public employee is not provided compensated leave time
32 for performing employment organization activities.

33 The bill applies to collective bargaining agreements entered
34 into on or after the effective date of the bill.